

**MINUTES OF
CITY OF DUVALL
COUNCIL MEETING
February 28, 2008
7:00 P.M. - Duvall Fire Station**

Council Workshop 6:00 PM: Economic Development – Doreen Booth and
Mayor Ibershof

The City Council Meeting was called to order by Mayor Ibershof at 7:02 P.M.

Council Present: Gérard Cattin, Vicki Edwards, Elizabeth Walker, Dianne Brudnicki,
Gary Gill, Anne L. Pennington, Glen Kuntz.

Staff Present: Steven Leniszewski, Glenn Merryman, Dianne Nelson, Lara Thomas,
Doreen Booth, Bruce Disend, Jodee Schwinn.

I. Additions or Corrections to the Agenda:

Under Consent Agenda add: Payroll Checks #4360-4390, #4520-4532, #4533-4534 in the amount of \$382,768.27; Claims Checks #4535-4627, #4339/4391-4392, #4393-4519 in the amount of \$710,334.92; Under Council add: Councilmember Brudnicki and Councilmember Cattin. Under Executive Session add: 5 Minutes for Litigation.

II. Adoption of Council Agenda:

*It was moved and seconded (Cattin-Kuntz) to adopt the Council Agenda.
The Motion carried. (7 ayes).*

III. Comments from the Audience:

Jerry Konoske, Duvall, said that Broadstripe Cable does not care about its customers. He's experienced repeated outages and the Internet connections are extremely slow (slower than advertised). He has spent 20 minutes on hold when calling their Customer Call Center, and after regular business hours there is no answer at all. He suggested the City set out guidelines and performance criteria that the cable company must abide by.

John McGee, Duvall, said that since Broadstripe has taken over the cable company his Internet has been out for a week. He has called daily and all he is told is that they are working on it. It took the cable company two months to resolve some of his other issues. They were supposed to get compensated on their bill, but have still yet to see that. Currently, he is receiving all of the premium channels but, has never requested them or paid for them. He has also made them aware of that fact many times.

Mr. McGee also expressed his concerns over an increase in traffic and excessive speeding along Third Avenue. He would like to know if there is something that can be done to slow down those drivers.

Erwin Singh, Duvall, recently moved to Duvall and has been trying unsuccessfully to get cable service since September. He doesn't get any response to his calls. He paid \$2,600 for an entertainment package designed for cable, only to find out that he can't get Broadstripe to provide service. Everyone in his neighborhood is moving to installing satellite dishes on their homes. Over time with all of the satellite dishes on everyone's home, the homes will lose value, and the property value will decrease.

Eric Varton, Duvall, wanted to express the lack of support and service that he has experienced with the cable company. He was initially encouraged when he heard that Broadstripe was taking over the cable company, but sadly nothing has changed or improved. He said it would be nice to have a choice of cable providers. Trying to work with the cable company has been one of worst customer service experiences he has ever had.

Reid Miller, Duvall, stated he has had to be very persistent when trying just to get cable service. He was given many different answers and told varying stories regarding the serviceability to his residence, and how long it would take to get that service. The technicians have been out many times and never give him the same answer on what the problem is, or why they are not able to connect up the service for him.

Dana Siverling, Duvall, said that last September she switched from Verizon to Broadstripe for Internet service. The service continuously went down. She spent hours on the phone with Broadstripe. She also sent numerous emails and letters to Broadstripe, and eventually even to Duvall Mayor Ibershof. She finally cancelled the Internet service with Broadstripe and went back to Verizon. She did keep the cable portion of her service for her Hi-Definition TV, but that service is terrible. Three of the channels she should get, she doesn't, and the channels she does get, the sound frequently cuts out. She has not received a bill since November and has called Broadstripe many times requesting her bill. She still has not received one. She does not have hours to spend on the phone with customer service. She emphasized that a growing community needs to have reliable services for its citizens, otherwise people will not want to live here. She works at home a lot and has to have reliable service. She also would like to see some performance measures set by the City.

Meelin Nakata, Duvall, a recent resident of Duvall said that Broadstripe is not delivering the service they promise. She's had cable service for just over a year, and since it changed to Broadstripe it has gotten worse. They have not been able to deliver service and they do not have any customer service. The City needs to provide its citizens with another choice. The cable company has failed to provide them with Internet service for the last three months. They keep calling Broadstripe, but all they have provided are promises that they never follow through with. Broadstripe has promised to credit their

bill, and she has yet to see that either. They aren't providing the service that they advertise. Broadstripe needs to be made accountable for this.

John Beck, Duvall, said his cable service has gotten worse, especially since November. He has called customer service many times, and every technician that comes out starts back over from square one, over and over, even though they already have all of the information from the previous visits and keep coming out for the same thing. He has to take time off of work to come home to meet the technician. They never get anywhere or fix the problem. Please put some kind of oversight on Broadstripe.

IV. Approval of Consent Agenda:

It was moved and seconded (Walker-Cattin) to approve the consent agenda which included Payroll Checks #4360-4390, #4520-4532, #4533-4534 in the amount of \$382,768.27; Claims Checks #4535-4627, #4339/4391-4392, #4393-4519 in the amount of \$710,334.92; Approving the Council Meeting Minutes of 1-24-08, and the Council Retreat Minutes of 2/2/08; and Agenda Bill AB08-10 – Contract #D37970D with King County for the Local Hazardous Waste Management Plan.
The Motion carried. (7 ayes).

V. Presentation: Broadstripe – Cable Service Update & Improvements

Duvall Finance Director, Dianne Nelson, introduced the representatives from Broadstripe: Rick Clark – Vice President of Government Relations; Dave Harwood – Senior Vice President and Regional General Manager; Mike Kellish – Regional Tech Operations Manager; and Bill Anderson – Vice President of Technical Operations. Dianne also distributed to the Broadstripe representatives and for the public record a 1 ½ inch packet of complaints she had received from citizens regarding their cable service.

Rick Clark, Vice President of Government Relations, apologized for every problem there has been. He said he is truly disappointed at hearing the problems in service that customers have been experiencing. He explained some of the measures that have recently been implemented to improve the cable service and address the problems. He stated that they are committed before leaving the meeting tonight to speak with and take each customer's name and number to personally follow up on their service problems.

The City Council expressed their frustration over the poor service and the lack of customer service that the citizens of Duvall have experienced. Councilmember Kuntz asked who from Broadstripe was going to be back to follow up with these citizens at the next council meeting in two weeks. The City Council emphasized that not only the service must be improved, but the poor customer service must also be addressed and resolved. Council is also concerned that Broadstripe has been charging customers for a service level that has not been provided. They wanted to know how Broadstripe will compensate their customers, how will they assure us that there are accountability measures in place, and also if there is a problem, what is the process to resolve it. What

is the customer service plan for the City of Duvall? There are many more customers that have experienced the same problems but are not at the meeting tonight. The level of service is unacceptable.

Mayor Ibershof wants to know the contact person that he can work with to facilitate resolving these problems. Any problems citizens have ultimately come to him. He doesn't feel customers should feel that they have to get the point of needing to call the Mayor of Duvall to resolve their problems with their cable service. He has been asked by at least 100 citizens to try and help bring Comcast to Duvall.

Dave Harwood, Regional Manager, said that they are committed to making improvements and they will come back to report to the Duvall City Council within a month, and after that will also continue to follow up.

Broadstripe also made an assurance that they will come up with a way to make sure that customers are credited on their accounts if they paid for service that they did not receive.

Duvall City Attorney, Bruce Disend, commented that citizens should be aware that over the past 20 years the federal government has removed more and more authority of local government's ability to regulate this type of service. As a result, cities are fairly limited in what they can do, but they do have responsibility for granting a franchise to operate in the city. With the nature of the customer complaints that have been levied tonight, he feels it is sufficient for him to advise the City Council to begin an investigation into the viability of the franchise. He would also recommend Broadstripe provide in writing to its customers what they have done to improve the system, what they intend to do to address these problems, and a timeline for making those improvements - at a minimum. If the problems continue, he indicated that there will be further opportunities to discuss this, and it will not be in a council meeting.

The Broadstripe representatives invited any of the disgruntled customers in attendance at the meeting to meet them in lobby following the presentation and they will take down their names and numbers and personally follow up with each of them.

8:10 p.m. Mayor Ibershof called a 2 minute recess to allow the citizens to clear the council chambers.

8:12 p.m. The Council Meeting was called back to order.

Presentation: Snoqualmie Watershed Forum

Lara Thomas, Associate Planner, introduced Yvette Lizee-Smith and Janne Kaje from the Snoqualmie Watershed Forum.

Yvette Lizee-Smith, Watershed Coordinator, gave a Powerpoint presentation explaining the structure and mandate of the Forum. She explained the services that the Forum provides, and highlighted some of the accomplishments and goals. Many of the

successful work programs that have been accomplished and many of the projects, have been completed here in Duvall.

Janne Kaje, explained some of the work program highlights. He explained that the Forum started around the salmon recovery program, but it also does a lot more than that. He emphasized that the Forum is not just about saving fish, it is also about water quality and watershed health. It is about keeping the river swimmable and fishable. The Forum also helps different groups to work together by coordinating recovery efforts. He reviewed some of the projects that have been undertaken under the grant program.

VI. Scheduled Items:

1. Mayor: Mayor Ibershof announced that the City of Duvall received a clean audit from the State Auditor. The auditor's office did request that the City create more specific policies related to spending. Mayor Ibershof reported that he will be proposing a joint Planning Commission/City Council Workshop for some time in March. Mayor Ibershof reported he has also been working with Doreen Booth on some initiatives for the Youth Advisory Committee. He also attended an Economic Development Conference with Doreen that was very informative. Lastly, Mayor Ibershof announced that the City is very close to signing the final documents on the property transfer to move forward with the College.

2. Committee Reports:

a. Land Use Committee: Councilmember Elizabeth Walker reviewed the issues and priorities that the Committee has identified. The primary priorities are the Park Master Plan, the Park Element, the Capital Facility Element, Transportation Element, CamWest/Washington Holdings, and code updates. Their secondary priorities are the Burhen Property, mid-town connectivity, and the Annexation Plan.

b. Public Works Committee: Councilmember Gary Gill said they also reviewed their priority list for the coming year. Their priorities for 2008 are the Main Street Project, the Transportation Element, mid-town connectivity, road networking plan, 275th Avenue NE sidewalks, maintenance and I&I on the sewer infrastructure, and moving the public works maintenance yard.

c. Public Safety Committee: Councilmember Vicki Edwards also reviewed their priority list for 2008. They have six priorities; bringing Duvall to #1 in low crime rates, emergency preparedness, jails, contract annual maintenance, fire investigation services, and fire inspection services.

d. Economic Development Committee: Councilmember Anne Pennington reported that the Committee is already working on a number of things that were outcomes of the Council Retreat. Those include implementing a strategic plan to retain current businesses and bring new businesses to town. They have also been working on ways to make sure businesses are successful during the Main Street reconstruction, including various activities and publicity measures to encourage activity in the downtown core. They are

also looking at putting out visual media and creating temporary gathering locations to involve the public during the renovations. The Committee will also be editing the Economic Development Plan to show progress on the goals and plan.

e. Finance & Administration Committee: Councilmember Gérard Cattin reported the Committee met and discussed their goals for 2008. They will be reviewing the budget and expenditures on a quarterly basis. They set out their meeting schedule for the rest of the year. The Committee will also be working on reviewing, creating and implementing more spending policies as a result from the State Auditor's Office requiring the City to create more policies.

3. Council:

a. Councilmember Dianne Brudnicki, announced that a Council Liaison is needed for the Youth Advisory Commission and also for the Duvall Cultural Commission. Dianne also reported that she will be attending a conference on March 29th entitled, "Connecting with the Youth of our Cities." She is excited to see what she can learn there and bring back to Duvall.

b. Councilmember Cattin gave an update on the Regional Law, Safety, and Justice Committee Meeting he attended earlier in the day. He reported that they discussed that a minority of individuals are responsible for the majority of the auto thefts. It seems that repeat offenders cause the most crime rate. There is also new evidence that auto thefts tie in to many other criminal activities, including drug abuse and identity theft. Sending car thieves to jail sooner, and increasing the incarceration time for auto theft is being considered.

4. Staff Reports:

a. Lara Thomas, Associate Planner, reported that the Washington Holdings Rezone will come before the Planning Commission next week. It will come before Council for approval on March 13th. She also announced that Hilarie Cash is on the agenda tonight to be appointed to the Planning Commission. That leaves the Commission with one more vacancy to fill. Tomorrow the Planning Department is holding interviews for the open Associate Planner position in the Planning Department. Lara also reported that they are working with the Mayor to implement a mentoring program for Planning Commissioners whereby each Commissioner will be assigned a City Councilmember mentor. That will be brought before Council in the near future.

b. Steven Leniszewski, Public Works Director, reported that he will be bringing a contract forward at the next council meeting approving a contract for the for I&I Sewer Main Video Inspection project. Steve reported that full use of Big Rock Field will not be until at least May. They need to make sure the new grass roots take hold before allowing anyone to play on the field. Steve also reported that the Vanderweide property purchase and the Subert Right of Way purchase are almost complete. Public Works is also working on a street and sidewalk plan for 3rd Avenue. Public Works has also been discussing expectations for communications for the Main Street Project and whether or

not to use an outside source for the project management of the Main Street reconstruction. They are currently looking into different options for that.

c. Glenn Merryman, Carnation-Duvall Police Chief, reported that the D.A.R.E season has begun. He invited any Councilmembers that are interested to attend one of the D.A.R.E. education sessions. Chief Merryman also reported that he and Dianne Nelson have been participating in labor negotiations training this week.

d. Dianne Nelson, Finance Director, announced the Utility Billing system is now online and is working great. She also explained that the large dollar amount of claims and payroll is mainly due to the fact that it includes a whole month of expenditures. She reviewed some of the larger claims that were paid this past month.

e. Doreen Booth, Economic Development Director, reported that Duvall Days planning has begun and is going great. She announced that the City has also issued two Calls for Artists for the Main Street Project. She is also working with Trilogy on sharing what activities are going on here in the Snoqualmie Valley for the residents of Trilogy. Doreen also announced that the Duvall Cultural Commission is presenting the "Tallboys Old-Time String Band & Barn Dance." The performance event will be held this Saturday at Cherry Valley Elementary.

VII. Public Hearing: *None*

VIII. New Business:

1. (AB08-13) Confirm Mayor Ibershof's appointment of Hilarie Cash to the Duvall Planning Commission position #3, a term ending 12/31/08. *It was moved and seconded (Cattin-Brudnicki) to confirm Mayor Ibershof's appointment of Hilarie Cash to the Duvall Planning Commission position #3, a term ending 12/31/08. The Motion Carried. (7 ayes).*

Hilarie Cash introduced herself. She said she has been involved in the City's planning and visioning process for a number of years, and she is delighted to be a part of the City's planning process in this official capacity.

2. (AB08-11) Approve the City of Duvall Policy regarding Employee, Volunteer and Elected Officials Recognition. *It was moved and seconded (Cattin-Gill) to approve the City of Duvall Policy regarding Employee, Volunteer and Elected Officials Recognition. The Motion Carried. (7 ayes).*

3. (AB08-12) Approve and authorize the Mayor to sign contract with Alternate Roofing Systems, Inc. to complete the Tech Center Roof Replacements. *It was moved and seconded (Cattin-Kuntz) to approve and authorize the Mayor to sign contract with Alternate Roofing Systems, Inc. to complete the Tech Center Roof Replacements. The Motion Carried. (7 ayes).*

Litigation – 5 Minutes
Personnel - 5 Minutes

9:48 p.m. The Council meeting was called back to order.

It was moved and seconded (Kuntz-Pennington) to adjourn. Motion carried. (7 ayes).
Meeting Adjourned 9:48 p.m.

Attest _____
Jodee Schwinn, City Clerk